

To: Berry, Chuck[Berry.Chuck@epa.gov]; Francendese, Leo[Francendese.Leo@epa.gov]; R4
ERRB[R4_ERRB@epa.gov]
From: Negron, Jose
Sent: Fri 1/10/2014 3:25:22 PM
Subject: RE: West Virginia chemical spill cuts water to up to 300,000, state of emergency declared -
U.S. News

If they have an NPDES permit which they should, they would be required to report under the
Clean Water Act NPDES permit requirement which gives them authority to discharge x amount
as part of their regular ops but need to report if they exceed as may happen with an
uncontrolled release.

From: Berry, Chuck
Sent: Friday, January 10, 2014 9:20 AM
To: Francendese, Leo; R4 ERRB
Subject: Re: West Virginia chemical spill cuts water to up to 300,000, state of emergency declared - U.S.
News

Saw this last night on reddit. Chem isn't on hazardous substance list (I searched by CAS# but I
might have missed it). What is their duty to report to NRC (which they didn't) if its only a
"pollutant or contaminant" sans RQ?

Chuck Berry
EPA OSC
Via Mobile Device
404.859.0970
Berry.chuck@epa.gov

From: Francendese, Leo
Sent: Friday, January 10, 2014 9:04:06 AM
To: R4 ERRB
Subject: Fw: West Virginia chemical spill cuts water to up to 300,000, state of emergency
declared - U.S. News

fyi

From: leofrancendese Ex. 6 - Personal Privacy
Sent: Friday, January 10, 2014 7:57:28 AM
To: Francendese, Leo
Subject: West Virginia chemical spill cuts water to up to 300,000, state of emergency declared -
U.S. News

http://usnews.nbcnews.com/_news/2014/01/09/22245996-west-virginia-chemical-spill-cuts-water-to-up-to-300000-state-of-emergency-declared?lite